

BRUCE NYE, SBN 77608
ADAMS | NYE | SINUNU | BRUNI | BECHT LLP
222 Kearny Street, Seventh Floor
San Francisco, California 94108-4521
Telephone: (415) 982-8955
Facsimile: (415) 982-2042

Attorneys for Defendant
WHIRLPOOL CORPORATION

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT, CALIFORNIA

THE STANDARD INSURANCE
COMPANY,

Plaintiff,

vs.

WHIRLPOOL CORPORATION and DOES 1
to 50 inclusive,

Defendant.

No.:

NOTICE OF REMOVAL

(Alameda Superior Court No. RG07325813)

TO THE CLERK OF THE ABOVE-ENTITLED COURT:

Defendant Whirlpool Corporation hereby files this Notice of Removal of the above-entitled action to the United States District Court for the Northern District of California, from the Superior Court of the State of California for the County of Alameda where the action is now pending as provided for by Title 28, U.S. Code, Chapter 89, and states:

1. This action is a civil action for negligence and product liability, and the United States District Court for the Northern District of California has jurisdiction by reason of the diversity of citizenship of the parties.
2. At all times relevant to this Notice and on May 14, 2007, when the action was commenced in the Superior Court of the State of California, Defendant Whirlpool Corporation was, and now is, a corporation organized, formed and incorporated in

1 and under the laws of the State of Delaware, having its principal place of business in
2 the State of Michigan.

3 3. As alleged in the Complaint, at all times relevant to this Notice, and on May 14,
4 2007, when the action was commenced in the Superior Court of the State of
5 California, Plaintiff The Standard Fire Insurance Company was a corporation
6 organized, formed and incorporated in and under the laws of the State of
7 Connecticut, having its principal place of business in the State of Connecticut.

8 4. There are no named parties in this matter other than Plaintiff The Standard Fire
9 Insurance Company and Defendants Whirlpool Corporation. and DOES 1-50,
10 inclusive. The citizenship of the fictitiously named defendants is irrelevant for
11 removal purposes. See 28 U.S.C. § 1441(a).

12 5. As more fully described below, this Court has jurisdiction over this action, pursuant
13 to 28 U.S.C. § 1332, because it is a civil action in which the amount in controversy
14 exceeds the sum of \$75,000, exclusive of costs and interest, and complete diversity
15 of citizenship exists between the properly joined parties. Specifically, the Complaint
16 alleges that Plaintiff has sustained damages in the sum of \$169,239.46 exclusive of
17 prejudgment interest.

18 6. Defendant Whirlpool Corporation received its first notice of this matter when it was
19 served by process on June 28, 2007, less than thirty days prior to the filing of this
20 notice.

21 7. A copy of all process, pleadings and orders served upon Defendant is filed with this
22 notice.

23 8. Defendant will give written notice of the filing of this notice as required by 28 U.S.C.
24 § 1446(d).

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1 9. A copy of this notice will be filed with the clerk of the Superior Court in and for the
2 County of Alameda, as required by 28 U.S.C. § 1446(d).

3 WHEREFORE, Defendant requests that this action proceed in this Court as an action
4 properly removed to it.

5
6 DATED: July 27, 2007

ADAMS | NYE | SINUNU | BRUNI | BECHT LLP

7
8 By: _____

9 BRUCE NYE
10 Attorneys for Defendant
11 WHIRLPOOL CORPORATION
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4 **PROOF OF SERVICE**

5 I am over the age of eighteen years, not a party to the above-captioned matter, and employed
6 by Adams | Nye | Sinunu | Bruni | Becht LLP at 222 Kearny Street, Seventh Floor, San Francisco,
7 California, where the service described below took place on the date set forth below.

8 **Person(s) Served:**

9 Shawn C. Moore, Esq.
10 ELIE & ASSOCIATES
11 11070 White Rock Road, Ste. 200
12 Rancho Cordova, CA 95670
13 Tel: (916) 638-6610
14 Fax: (916) 638-6607

15 **Document(s) Served:**

16
17 **NOTICE OF REMOVAL**

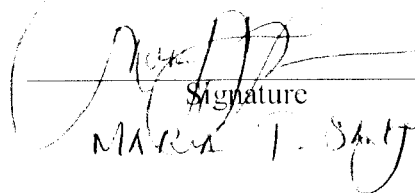
18 **Manner of Service:**

19 X

20 **Mail:** I am readily familiar with my employer's practice for the collection and processing of
21 correspondence for mailing with the United States Postal Service: such correspondence is
22 deposited with the United States Postal Service on the same day in the ordinary course of
23 business in the county where I work. On the date set forth below, at my place of business,
24 following ordinary business practices, I placed for collection and mailing by deposit in the
25 United States Postal Service a copy of each Document Served, enclosed in a sealed
26 envelope, with the postage thereon fully prepaid, each envelope being addressed to one of
27 the Person(s) Served, in accordance with Code of Civil Procedure 1013(a).
28

I declare under penalty of perjury under the laws of the State of California that the foregoing
is true and correct.

Dated: July 27, 2007



Signature
MARIA T. SALAZAR